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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stelzer et al.
Serial No. : 09/943,346
Filed : February 9, 1999
For : MINIMALLY INVASIVE SURGERY DEVICE
Unit : 3739

745 Fifth Avenue
New York, New York 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 5, 2002.

MATTHEW K. RYAN REG. NO. 30.800
Name of Applicant, Assignee or Registered Representative

Matthew K. Ryan
Signature

Date of Signature

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PRELIMINARY AMENDMENT AND REQUEST FOR EXTENSION OF TIME

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This amendment is submitted in response to the October 5, 2001 Notice to File Corrected Application Papers.

REQUEST FOR EXTENSION OF TIME

Applicant respectfully requests a one-month extension, of the term for reply, i.e., up to and including February 5, 2002. See 37 C.F.R. §§ 1.136(a), 1.17(a). The Commissioner is hereby authorized to charge the fee of \$55.00 for extension by a small entity, and any additionally required fee for the extension, or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.



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AMENDMENT

Before the issuance of the first Office Action, please add the Abstract to the above-identified application without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.

ABSTRACT OF THE DISCLOSURE:

Please add the Abstract attached hereto as a separate sheet, without prejudice, without admission, without surrender of subject matter, and without any intention of creating estoppel as to equivalents.

REMARKS

No new matter has been added by this preliminary amendment; support for the Abstract can be found in the specification and the claims as originally filed. Favorable consideration of the claims and prompt examination on the merits is earnestly solicited. Please charge any additional fees or credit any overpayment for this application to Deposit Acct. No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

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